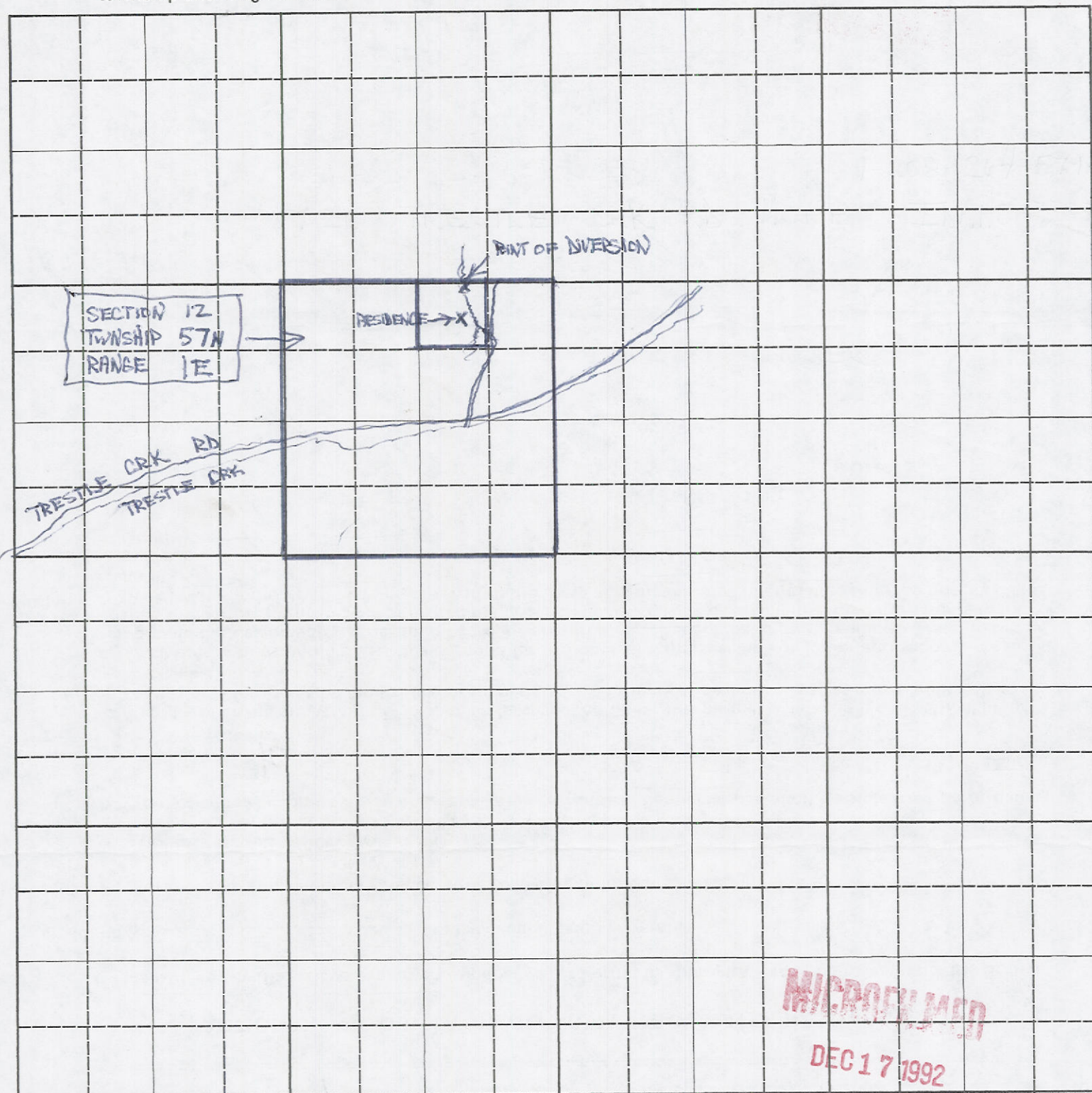


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Stewart S. Berberly
(Applicant)

9-25-92

T. 58N.

T. 57N.

K A N I K S U

R. 01E

R. 01W

O N A L

F O R E S T

Glacier Creek

Creek

Trestle

Cochran

Draw

Mount Eagen

96-08720
T. 57N., R. 01E., S. 12
BERKLEY, STEWARD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REPORT SUP

PHOTOGRAPH



DOMESTIC TAP
GARDEN HOSE DISCHARGE



POINT OF DIVERSION - SCREENED GARDEN HOSE & WATER DROP



ALSO used
0.5 pad

MICROFILMED
APR 10 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08720

Priority: September 28, 1992 Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

This is to certify, that STEWARD L BERKLEY
720 TRESTLE CREEK RD
HOPE ID 83836

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated September 28, 1992; and
has submitted Proof of Beneficial Use on December 2, 1996. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from:

SPRING tributary to TRESTLE CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: NENWNE , Sec. 12, Township 57N, Range 01E
BONNER County

PLACE OF USE: DOMESTIC
TWN RGE SEC
57N 01E 12 NWNE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.
6. An intake screen of 1/4 inch or smaller mesh shall be installed at the point of diversion to prevent any negative impact on juvenile fish.

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APR 10 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08720

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 25TH
day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

APR 10 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 02 1996

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 96-08720 Telephone No. 208-264-5795
2. Name(s) of Permit Holder(s): STEWART BERKLEY
3. Mailing Address: 720 TRESTLE CRK, HOPE, ID. 83836
4. Source of Water: SURFACE If GROUNDWATER (well), Date Drilled: mo. ___ / yr. ___
- a. Well Driller: _____ Drilling Permit Number: _____
b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .04 cfs OR 2.5 acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
- | | | | | |
|------------------------|--|-----------|----|-------------|
| Measuring Device: | Is a measuring device required? | Yes _____ | or | No <u>✓</u> |
| | Has the measuring device been installed? | Yes _____ | or | No <u>✓</u> |
| Flow Measurement Port: | Is a flow measurement port required? | Yes _____ | or | No <u>✓</u> |
| | Has the measurement port been installed? | Yes _____ | or | No <u>✓</u> |
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.

Name: STEWART & DAWN BERKLEY Telephone Number: 208-264 5795

Address: 720 TRESTLE CRK RD., HOPE, IDAHO, 83836
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder:

(include your title, if on behalf of company or organization)

Date:

organization)
MICROFILMED

JAN 10 1937

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-08720

Proposed Priority: September 28, 1992 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **STEWART L BERKLEY**
720 TRESTLE CREEK RD
HOPE ID 83836

has applied for a permit to appropriate water from:

SPRING

tributary of **TRESTLE CREEK**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: NENWNE , Sec. 12, Township 57N, Range 01E
BONNER County

PLACE OF USE: DOMESTIC
TWN RGE SEC

57N 01E 12 NWNE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 2, 1997**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Domestic use is for 1 home.
5. An intake screen of 1/4 inch or smaller mesh shall be installed at the point of diversion to prevent any negative impact on juvenile fish.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

10th day of December, 1992.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

DEC 17 1992

9-25-92

Form 202
6/85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 96-8720

To appropriate the public waters of the State of Idaho

1. Name of applicant STEWART L. BERKLEY Phone 1-208-264-5795
Post office address 720 TRESTLE CRK RD, HOPE, IDAHO 83836
2. Source of water supply SPRING FEE CREEK which is a tributary of N/A TRESTLE CREEK
3. Location of point of diversion is NE NW 1/4 of NE 1/4 of " " 1/4, Govt. Lot " "
Sec. 12 Township 57N Range 1E B.M. BONNER County; additional points of diversion if any: " "

4. Water will be used for the following purposes:

BLM .04
Amount 20 for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount " for " purposes from " to " (both dates inclusive)
(cfs or acre-feet per annum)

Amount " for " purposes from " to " (both dates inclusive)
(cfs or acre-feet per annum)

Amount " for " purposes from " to " (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 20.04 cubic feet per second and/or (b) " acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. PIPED TO HOUSE
GRAVITY SYSTEM

b. Height of storage dam " feet; active reservoir capacity " acre-feet; total reservoir capacity " acre-feet; period of year when water will be diverted to storage: " to " inclusive.

c. Proposed well diameter is " inches; proposed depth of well is " feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application of " to the proposed beneficial use is 5 1/2 yr years (minimum 1 year).

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DEC 17 1992

* Maximum allowable

8. Description of proposed uses (if irrigation only, go to item 9):

*

WILL APPLY FOR IN FUTURE

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. ONE
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
~~57N~~	~~12E~~	~~12~~																	
57N	12E	12		D															

Total number of acres to be irrigated

0

10. Describe any other water rights used for the same purposes as described above. _____

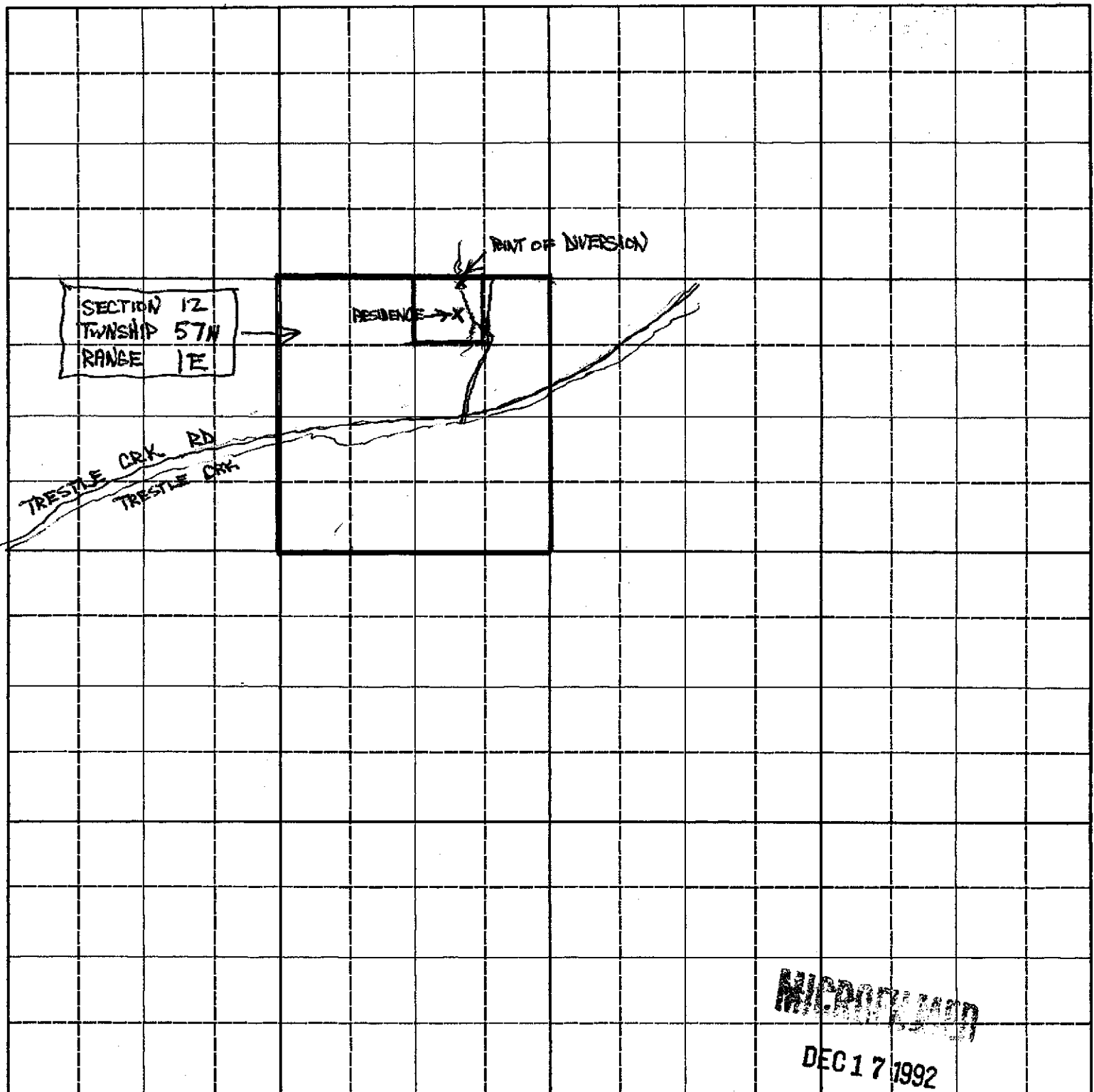
11. a. Who owns the property at the point of diversion? STEWART L. BERKLEY
- b. Who owns the land to be irrigated or place of use? STEWART L. BERKLEY
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: This is a year round spring fed creek and our sole source of drinking and domestic water originating in national forest just above our property.

RECORDED

DEC 17 1992

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Howard S. Beruberg
(Applicant)

9-25-92

MICROFILMED
DEC 17 1992

Received by Date 9/25/92 Time 1:00 PM Preliminary check by
Fee \$ 30.00 Receipted by # N 6001 Date 9/28/92
Publication prepared by Date 10/7/92 Published in Bonneville City Bee
Publication approved Date 10/15/92
Publication approved Date 11/6/92

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. , and said application is hereby .

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before , 19 .
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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DEC 17 1992

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Darel Miller being first duly sworn on oath
deposes and says that he/she is Bookkeeper

of the Bonner County Daily Bee, a newspaper printed and
published at Sandpoint, Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

Regal Notice

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 15 day of Oct, 1992
and ending on the 22 day of Oct, 1992
and that said notice was published in said newspaper.

On this 27th day of October in the year
of 92 before me, a Notary Public, personally
appeared Darel Miller

known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true,
and acknowledged to me that he executed the same.

Ken Johnson
Notary Public for Idaho

Residing at Sandpoint
My commission expires: 10/22/92

**NOTICE OF APPLICATION
FOR WATER RIGHT**
The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

96-08719
REINER, MARK
REINER, CAREN
240 W CENTRAL VALLEY RD
SANDPOINT, ID 83864
Source: UNNAMED STREAM
Tributary: GROUSE CREEK
Diversion Pt: NWSE Sec 19 T 59N
R 01E in BONNER County.
Use: IRRIGATION (.120 CFS)
IRRIGATION STORAGE (7.00
AF)
IRRIGATION FROM STORAGE
(7.00 AF)
WILDLIFE (.040 CFS)
WILDLIFE STORAGE (7.00 AF)
DOMESTIC (.040 CFS)
DOMESTIC STORAGE (7.00 AF)
DOMESTIC FROM STORAGE
(1.20 AF)
Date Filed: 9/8/1992
In: BONNER County
T59N R01E S19 NWSE
6.0 ACRES TOTAL

96-08720
BERKLEY, STEWARD L
720 TRESTLE CREEK RD
HOPE, ID 83836
Source: SPRING Tributary: TRES-
TLE CREEK
Diversion Pt: NENWNE Sec 12 T
57N R 01E in BONNER County.
Use: DOMESTIC (.200 CFS)
Total Diversion: (.200 CFS)
Date Filed: 9/28/1992
In: BONNER County
T57N R01E S12 NWNE
For additional information con-
cerning the property location, call
the Northern Regional Office at 765-
4639.

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the director, Dept. of
Water Resources, Northern Region,
1910 Northwest Blvd., Suite 210,
Coeur d'Alene, Idaho 83814 on or
before NOVEMBER 2, 1992.
R. KEITH HIGGINSON, Director
SNP#5006 Oct. 15, 22, 1992

RECEIVED

NOV 04 1992

NORTHERN REGION
IDWR

DEC 17 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STEWART L. BERKLEY
720 TRESTLE CREEK RD
HOPE ID 83836

RE: WATER RIGHT NO. 96-08720

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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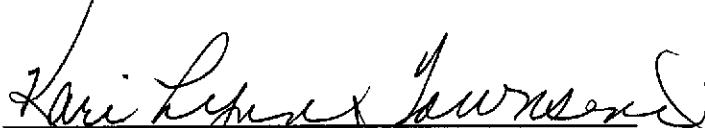
APR 10 1998

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 96-08720

STEWARD L BERKLEY
720 TRESTLE CREEK RD
HOPE ID 83836


Kari Lynn Townsend
Secretary

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APR 10 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-08720

DATE 2/18/98

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

NO GOVT LOTS

OVERLAPS — P/D — P/U
Overlap file pulled & reviewed —

RATE OF DIV

Permitted Rate	<u>.04</u> cfs
Fee limit	<u>.20</u> cfs \$50 ⁰⁰
Measured	<u>.04</u> cfs <u>measurements weren't at pld</u>
Theoretical	<u>—</u> cfs

Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/ NATURE OF USES	<u>✓</u>	Use <u>Dom</u> cfs <u>.04</u>	Volume Calc <u>1.2</u> af
			af
			af
			af
		SUBTOTAL <u>.04</u>	<u>1.2</u> af

Flow rate .04 cfs X 365 days X 1.98 = 29.0 af
Total volume recommended 1.2 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS 1/1 home.
W15

CONDITIONS — Watermaster Control WD# —
— GW Measurement/Measuring Device
— Overlap
— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A
Adjustment Memo —

1st Amend Letter N/A
2nd Amend Letter —

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 27 1998

Department of Water Resources

96-08720

A. GENERAL INFORMATION

Permit No.

1. Owner: STEWART L. BERKLEY Phone No. (208)-264-5795

Current Address: 720 TRESTLE CREEK RD. HOPE, ID. 83836

2. Accompanied by: Stewart L. Berkley EXAM DATE: 8-12-97

Address: SAME AS ABOVE Phone No. SAME AS ABOVE

Relationship to Permit Holder: PERMIT HOLDER

3. Source: SPRING tributary to TRESTLE CREEK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: - NONE -

2. Other water rights with the same point of diversion: - NONE -

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
PD#1	NA	NE	NW	NE	12	57N	01E	BONNER	USGS 7.5' QUAD, site visit

2. Place(s) of Use:

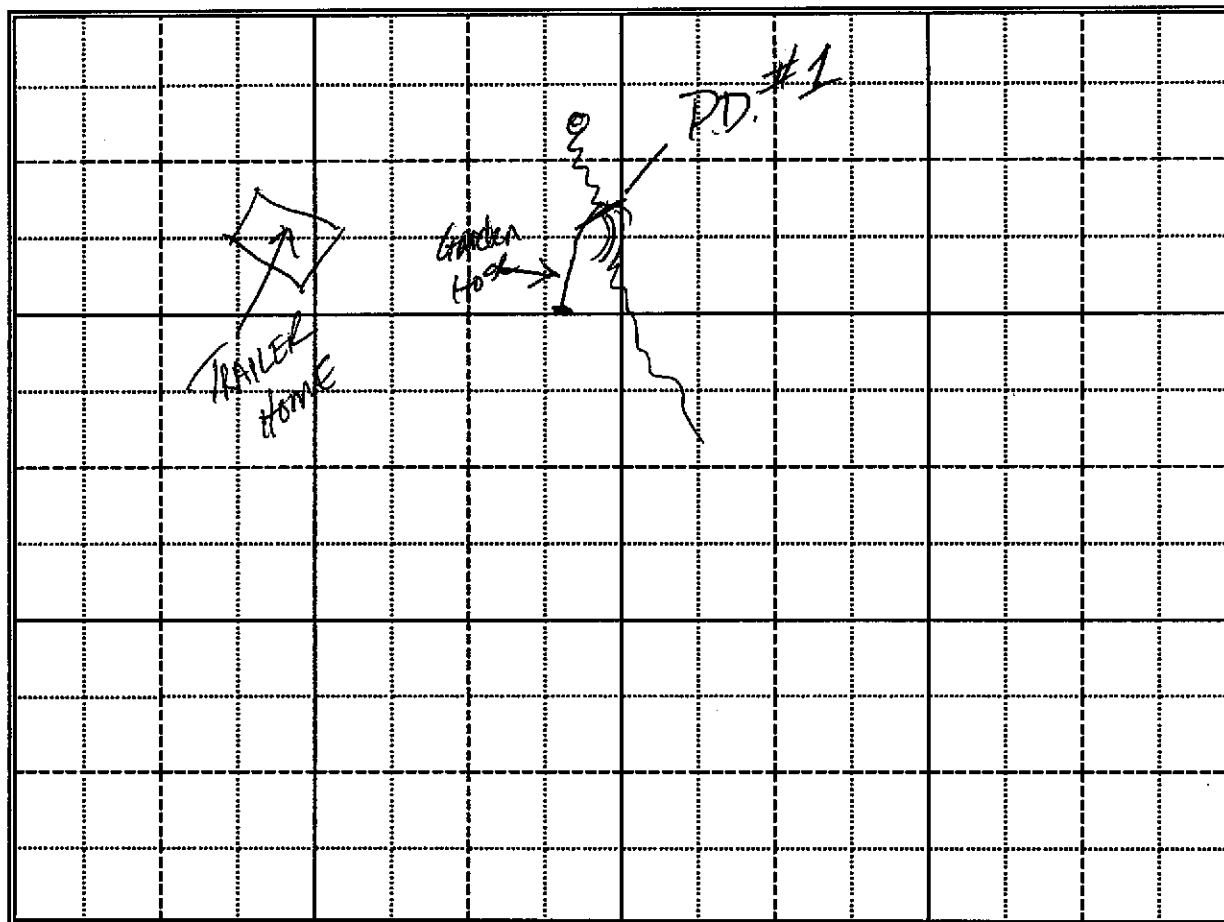
Indicate Method of Determination Site Visit

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	01E	12		D														DOMESTIC	

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APR 10 1998

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = NTS

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
P.D. #1	GRAVITY FLOW				5/8" Garden hose

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
4 gallon Bucket						

2. Measurements:

Bucket Method - 4 gals @ 42.2 seconds

#2 4 gals @ 19.2

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E. NARRATIVE/REMARKS/COMMENTS

System is Gravity Flow. Spring is dammed to create a pool. where a Screened GardenHose is used to run water to supply area. During cold months of the year water is taken directly from the pool. At the pool there is a little drop where I conducted a Bucket Method measurement and a Bucket measure ment @ the end of the hose.

Domestic use is for 1 Family Home.

Have conditions of permit approval been met? ☒ yes ☐ no

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APR 10 1998

F. FLOW CALCULATIONS

Bucket Method

Additional Computation Sheets Attached

Measured Method:

$$\#1 \frac{4 \text{ gals} @ 42 \text{ seconds}}{X \quad 60} = \frac{240}{42} = 5.71 \text{ gpm}$$

$$\#2 \frac{4 \text{ gals} @ 19.2 \text{ seconds}}{X \quad 60} = \frac{240}{19.2} = 12.5 \text{ gpm}$$

$$2 \times \frac{5.71 + 12.50}{2} = 18.21$$

$$\frac{18.21}{448.8} = .04 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses:

1 Home @ 1.2 ACRE Ft.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>1-01</u>	<u>12-31</u>	<u>.04</u>	<u>1.2</u>
Totals:			<u>.04</u>	<u>1.2</u>

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name

[Signature]

Date

8-12-97

Reviewer

Date

SEAL

MICROFILMED

APR 10 1998

T.58N.

T.57N.

K A N I K S U

R.01E

R.01W

O N A L

F O R E S T

Creek

Glacier

Creek

Prestle

Cogman

Draw

Mount Egan

APR 10 1998

96-08720

T.57N. R.01E. S.12

BERKLEY, STEWARD

96-08720

FERRIT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REPORT SUR



DOMESTIC YOUNG
GARDEN HOSE DISCHARGE



POINT OF DIVERSION - SEVERED GARDEN HOSE &
WATER DROP



MICROFILMED
APR 10 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08720 Reviewed by [Signature] Date 12.6.96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

☒ Surface water source
☐ Ground water source
☐ Drilling permit required?
☐ Copy in the file? Drilling Permit No. _____
☐ Amount paid for permit _____ Correct?
☐ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
no Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority Date	_____	_____
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [X] Proof Made 12.2.96

December 6, 1996

STEWARD L BERKLEY
720 TRESTLE CREEK RD
HOPE ID 83836

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08720

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MICROFILMED
JAN 10 1997

October 31, 1996

STEWARD L BERKLEY
720 TRESTLE CREEK RD
HOPE ID 83836

PROOF DUE NOTICE

RE: PERMIT NO. 96-08720

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1997.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

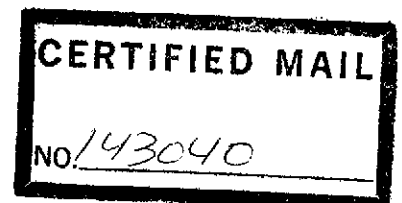
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JAN 10 1997





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 10, 1992

STEWARD L BERKLEY
720 TRESTLE CREEK RD
HOPE ID 83836

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08720

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures

DEC 17 1992

APPLICATION FOR PERMIT REVIEW

B.M.

Application #: 96-8720 Date: 12-9-92 Reviewer: Brenda Miller

SYSTEM COMPLETED:

- No - 26A-P17
- Complete in 1 year - P16
- Yes
- Proof not submitted - P16
- Proof submitted - N/A

AREA OF CONCERN? No

GROUNDWATER:

- GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
- No measurement required <flow chart>
- LT. 0.2 cfs - No measurement required <flow chart>

Drilling Permit:

- Approved w/permit - P99
- Not included - 046-46A-46B-P23 (after 7/1/87), N/A

SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>

LOCATION:

- Water Districts - WD No. _____
- Surface water - R04, R04-01H-P01(LT.2 w/pump)
- R04-01J-P08(GT.2), NMR <flow chart>
- Groundwater - P05
- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 058 (Groundwater)
- Swan Falls Flag - _____ (1, Blank or Other)
- Trust - 051-052-053-P74(Consumptive Uses)
- Non Trust <1> - 048-049

RIVER BASINS:

- (Surface Water) Water District Control Condition &....
- Boise (63) - 05A & 11E
- Payette (65) - 047-P04, 059-P71
- Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:

- Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
- 042(req.), 002-P06(MD), 07A(Spec.),
- 044(Policy 5G)
- Power - Use Power Review
- Mining - 06A, 010, or 09E-P10 & 054(req.)
- Storage - 18A-for multiple measuring devices(In WD),
- 18B-P09(Size)
- Rec/Wildlf/Aes - 027(Non-Consumptive)
- Domestic - 021 (Boise River - upstream from L Peak)
- (restricted areas) 27A (Payette River & main tributaries)

OWNERSHIP:

- Non land owner - 004

PROTESTED:

- Agreement - 020

Beneficial Use Due Date - 01-02-1997

Other Conditions/Remarks: - W15

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # 96 - 8720

***** INITIAL REVIEW *****

APPLICANT: BERKLEY BY: AB DATE: 9 / 28 / 92

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity
(X) Nature of Proposed Use
(X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
() Dam information requested
or not requested
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other Water Rights
11. (X) Ownership
13. (X) Map
(X) Signature
(X) Fee (Amt, recpt, acknowlegment)
Send info sheet Y() N()

PROCESSING

Yes No PRIORITY DATE: / /
 X (Include Moratorium Remark)
 X Statewide Avertising: (Diversion rate
greater than 10 cfs or 1,000 af).

10 / 15 / 92 Advertised in: Donner City Bee

County of: Donner

SEND COPIES TO:

() USFS CdA	() USFS Oro	() USFS Grangeville
() BLM	() W/W Corps	() Albeni Corps
() F&G CdA	() F&G Lew	() IDL
() H&W CdA	() H&W Lew	() Adj Div
(Other) <u> </u>		

LETTERS SENT REQUESTING

() Dam information () Fish Information
() Power information () Other

INFORMATION RECEIVED

() Power information () Dam information
() Fish Information () Other

ADDITIONAL INFORMATION

Yes No

- X Field check: by
 + Field report attached
 + Analysis Supp. attached (>5cfs/500af)
 + Water delivered by water master?
Water District #

***** GROUNDWATER SECTION *****

(Yes) (No) Checked by: Date: / /
 X Groundwater management area
 + Critical ground water area
 + Well Drilling Permit required
 + Well Drilling Application and Fees received
 + Well Drilling Application approved?
Well Drilling Application Number

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No) Notice of pending void order issued. Final order response date: / /
 Further information required from applicant
 Affidavit of publication received
 Application published correctly, If not, record action taken:
 Publication dates and paper recorded on application
 Protests received. Final protest date: 11 / 2 / 92 | Sr. Agent initial
 Measuring device required
 Measuring port required
 Special conditions:
 Special conditions of approval supplement and/or cover letter attached:

RECEIVED
NOV 23 1992

Approval Recommended by: AB Department of Water Resources
Date: 11 / 6 / 92

96-08720

BERKLEY, STEWARD L
720 TRESTLE CREEK RD
HOPE, ID 83836

Source: SPRING

Tributary: TRESTLE CREEK

Diversion Pt: NENWNE Sec 12 T 57N R 01E in BONNER County.

Use: DOMESTIC (.200 CFS)

Total Diversion: (.200 CFS)

Date Filed: 9/28/1992

In: BONNER County
T57N R01E S12

NWNE

RECORDED
DEC 17 1992



Region I
2320 Government Way
Coeur d'Alene, Idaho 83814-3683
Telephone: (208) 765-3111

RECEIVED

October 20, 1992

OCT 21 1992

NORTHERN REGION
IDWR

Mr. Robert G. Haynes
Idaho Department of Water Resources
1910 Northwest Blvd. Suite 210
Coeur d'Alene, ID 83814

Dear Bob:

REFERENCE: 96-08719 REINER/GROUSE CREEK TRIBUTARY
 (96-08720) BERKLEY/TRESTLE CREEK TRIBUTARY

We have reviewed these applications for potential impacts to fish and wildlife resources.

At this time we have no objection to the proposed diversions provided they are adequately screened and diversion structures will not negatively affect existing fish passage. Both Trestle and Grouse Creeks, and many of their tributaries, are important spawning areas for migratory bull trout, rainbow trout, and cutthroat trout from Lake Pend Oreille. Due to the value of the Lake Pend Oreille fishery, we believe it is important to ensure fishery resources are safeguarded.

Thanks for the opportunity to comment.

Sincerely,

David W. Ortmann
Regional Supervisor

DWO:CEC:kh

C: Natural Resource Policy Bureau

RECEIVED

DEC 17 1992

EQUAL OPPORTUNITY EMPLOYER



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 7, 1992

Mr. Steward L. Berkley
720 Trestle Creek Rd.
Hope, Id. 83836

Subject: Water Application for Permit Number 96-8720.

Dear Mr. Berkley:

The Idaho Department of Water Resources hereby acknowledges receipt of the above-referenced Application for Permit to Appropriate the Public Waters of the State of Idaho. Enclosed is Receipt Number N6001. Please refer to your Application for Permit Number in future matters concerning this water right application.

Your Application for Permit is currently being prepared for advertising in the local county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for submittal of protests.

If your application is not protested, it will be forwarded to Boise for processing. If your Application for Permit is protested, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before your Application for Permit can be approved. If the protest is not resolved, this Department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State Office in Boise.

If your Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resource Agent

Enc. - Receipt

DEC 17 1992